

LABEL, IN PART: (Cartons) "1 Pint Elixir Dall-Phen Each teaspoonfull (5 cc) contains: Phenobarbital $\frac{1}{4}$ gr. * * * Thiamine Hydrochloride 2.5 mg."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely, "Each teaspoonful (5 cc) contains: * * * Thiamine Hydrochloride 2.5 mg." Misbranding, Section 502 (a), the label statement "Each teaspoonful (5 cc) contains: * * * Thiamine Hydrochloride 2.5 mg." was false and misleading. The article was adulterated and misbranded in the above respects while held for sale after shipment in interstate commerce.

Further misbranding, Sections 502 (b) (1) and (2), the article failed to bear a label containing the name and address of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents. Further misbranding, Section 502 (d), the article contained phenobarbital, a derivative of barbituric acid, which derivative has been found to be, and by regulations designated as, habit forming; and its label failed to bear the name and proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming." Further misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use. The article was misbranded in the above respects when introduced into and while in interstate commerce.

DISPOSITION: October 2, 1951. Default decree of condemnation and destruction.

3606. Misbranding of syrup Desoxicol. U. S. v. 214 Bottles, etc. (F. D. C. No. 31603. Sample No. 23452-L.)

LIBEL FILED: August 6, 1951, District of New Jersey.

ALLEGED SHIPMENT: On or about March 15 and May 31, 1951, by Brewer & Co., Inc., from Worcester, Mass.

PRODUCT: 214 1-pint bottles and 92 1-gallon bottles of *syrup Desoxicol* at Nutley, N. J.

LABEL, IN PART: "Syrup Desoxicol Alcohol 4 Per Cent Each Fluid Ounce Contains: Chloroform 2 grs. Desoxyephedrine Hydrochloride 8 mg. Potassium Guaiacolsulfonate 12 grs. Sodium Citrate 24 grs. Dosage: As directed by the physician."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since its labeling failed to reveal the purposes and conditions for which the article was to be taken.

DISPOSITION: September 14, 1951. Frankay Laboratories, Inc., Nutley, N. J., claimant, having consented to the entry of a decree, judgment of condemnation was entered. The court ordered that the product be released under bond to be relabeled by affixing to it labels reading "Caution: To be dispensed only by or on the prescription of a physician," and that the relabeling be done under the supervision of the Federal Security Agency.

✓ 3607. Misbranding of Hope mineral tablets. U. S. v. 5 Gross Bottles, etc. (F. D. C. No. 31620. Sample No. 13685-L.)

LIBEL FILED: On or about August 20, 1951, District of Colorado.

ALLEGED SHIPMENT: On or about June 30, 1951, by the Hope Co., from Maplewood, Mo.

PRODUCT: 5 gross bottles of *Hope mineral tablets* at Denver, Colo., together with 5 newspaper mats.